

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SOLANGE MARTINEZ,

Case No. 15-cv-4618

Plaintiff,

v.

**JOINT MOTION TO STAY
CASE PENDING
MEDIATION**

SKANSKA USA INC. and SKANSKA USA CIVIL
NORTHEAST INC.,

Defendants.

The Parties to this matter, through undersigned counsel, respectfully request that the Court stay this case pending the outcome of the Parties' mediation, scheduled for November 6, 2015. In support of this Motion, the Parties state as follows:

1. On September 22, 2015, Defendants filed a motion to dismiss Plaintiff's unequal pay claims, contained within the fifth and sixth causes of action, pursuant to F.R.C.P. 12(b)(6). Plaintiff is required to respond by October 6, 2015, pursuant to Loc. Civ. R. 6.1.

2. Pursuant to the Notice of Assignment of Mediator, the Parties have arranged to appear for mediation on November 6, 2015, before Marc Isserles, Esq. at JAMS, located at 620 8th Ave., 34th Floor, New York, NY 10018.

3. The Parties desire to try to resolve this matter before expending time and resources on litigation. In order that the Parties may conserve and focus their time and resources on a possible resolution of this matter, the Parties respectfully request that the Court stay this matter pending the outcome of mediation.

4. In the event that the mediation is not successful, Plaintiff will respond to the above-described motion within fourteen (14) days after the mediation is declared unsuccessful by the mediator, and the Parties request that Plaintiff's time to file her opposition to the motion hereby is extended until such date.

5. Alternatively, in the event the Court declines to grant this request for a stay of proceedings pending the Parties' mediation, the Parties respectfully request that the Court extend Plaintiff's time to respond to the above-described motion to dismiss to October 13, 2015.

6. No party intends to waive, is waiving, or shall be deemed to have waived any claim or defense in connection with this application, and all claims and defenses available to a party as of the date hereof are preserved.

WHEREFORE, the parties respectfully request that the Court stay this matter pending the outcome of mediation.

Dated: New York, New York
September 28, 2015

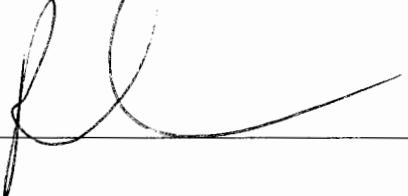
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Attorneys for Defendants

SO ORDERED:



9/29/15

DATE